

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re

Chapter 11

Avon Place, LLC

Case no. 25-41368 (JMM)

Debtor.

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ORDER REDUCING AND ALLOWING CLAIM NUMBER 10

Upon the objection (“Objection”) [ECF 72] of Avon Place, LLC (the “Debtor”) to claim 10 (“Claim”) of 44 Avonwood Road Credit LLC (the “Mortgagee”); and upon consideration of Mortgagee’s response (the “Response”) to the Objection [ECF 90], the Debtor’s reply (“Debtor’s Reply”) [ECF 108] and the Mortgagee’s omnibus reply (“Omnibus Response”) [ECF110], and upon the trial conducted before this Court on August 18, 2025 relating to the foregoing; and upon all proceedings herein, and for the reasons stated by the Court in its bench ruling on August 20, 2025, it is:

ORDERED, that the Objection is granted in part and denied in part, such that, except for the Mortgagee’s legal fees, the Claim is allowed as set forth below (the “Allowed Claim”):

	Mortgage	LOC	Total of Both Mortgages
Principal Balance	\$25,068,659.73	\$2,032,125.00	\$27,100,784.73
Contract Rate	4.95%	4.95%	
Contract Rate Per Diem	\$3,446.94	\$279.42	\$3,726.36
Default Rate	18.00%	18.00%	
Default Rate Per Diem	\$12,534.33	\$1,016.06	\$13,550.39
Payment Event of Default	7/1/2024	7/1/2024	
Petition Date	3/21/2025	3/21/2025	
Days in Default until Petition Date	263	263	
Default Interest to Petition Date for Payment Default	\$3,296,528.75	\$267,224.44	\$3,563,753.19
Less Insurance Proceeds	\$474,744.98		
Claim as of Bankruptcy Filing	\$27,890,443.50	\$2,299,349.44	\$30,189,792.94
Assumed Effective Date	9/15/2025		
Days In Bankruptcy	178		
Default Interest during Bankruptcy	\$2,231,110.72	\$180,859.13	\$2,411,969.84
Forced-Place Insurance	\$170,839.93		
Appraisals	\$4,500.00		
Chapter 11 Legal Fees (estimated)	\$800,000.00		
Post-Petition Interest, Fees and Expenses	\$3,387,309.77		
Adequate Protection Payment Amount	\$113,343.39		
Months Payments made (assumes 1 more made between now and Effective Date)	5		
Less Total Adequate Protection Payments	\$566,716.95		
Net Post Petition Interest, Fees and Expenses	\$2,820,592.82		
Payoff on Plan Effective Date	\$33,010,385.76		

and it is further

ORDERED, that the objection to the Mortgagee's legal fees be, and hereby is, adjourned to October 16, 2025, for a status and scheduling conference (the "Hearing"), and it is further

ORDERED, that on or before August 29, 2025, the Mortgagee shall deliver its backup time records for its legal fees claim to the Debtor, and it is further

ORDERED, that the Debtor shall have one week from August 29, 2025 to review Mortgagee's legal fee time records, and thereafter confer with the Mortgagee regarding requests relating to detail, formatting, and time categorization to assist in analyzing such records.

ORDERED, in the event the Debtor and Mortgagee agree on the amount of Mortgagee's legal fees such fees may be paid as part of Mortgagee's Allowed Claim in connection with the Debtor's Plan.

ORDERED, that the Mortgagee's Allowed Claim shall be paid as set forth in the Order Confirming the Debtor's Plan being entered contemporaneously herewith, and the Mortgagee's estimated legal fees, to the extent not agreed upon by the Effective Date of the Debtor's Plan, shall be paid into an attorney escrow account maintained by Debtor's counsel and may only be distributed upon: (i) agreement of the Debtor and Mortgagee, or (ii) further order of the Court; and it is further

ORDERED, that Court will hold the Hearing before Judge Jil Mazer-Marino of the United States Bankruptcy Court, Eastern District of New York, 271 -C, Courtroom 3529, Cadman Plaza East, Brooklyn, New York 11201; and it is further

ORDERED, that the Hearing may be held in person, by phone, or by videoconference. Regardless of whether you intend to appear in person, by phone, or by videoconference, those intending to appear at the Hearing must register with eCourt Appearances no later than **two (2) days** prior to the Hearing. The phone number or video link for the Hearing

will be emailed only to those that register with eCourt Appearances in advance of the Hearing. Instructions for registering with eCourt Appearances can be found at <https://www.nyeb.uscourts.gov/node/2126>. If you do not have internet access or are otherwise unable to register with eCourt Appearances, you may call or email Judge Mazer-Marino's courtroom deputy for instructions at (347) 394-1844, JMM_Hearings@nyeb.uscourts.gov.

Dated: September 16, 2025
Brooklyn, New York




Jil Mazer-Marino
United States Bankruptcy Judge